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December 13, 2021

<b>USDC SDNY</b>
<b>DOCUMENT</b>
<b>ELECTRONICALLY FILED</b>
<b>DOC #:</b>
<b>DATE FILED:</b> 12/14/2021

**VIA ECF**

The Honorable Katharine H. Parker  
United States Magistrate Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

Re: *Prometo Produce Corp. v. Produce Depot USA, LLC, et. al.*  
Case No. 1:21-cv-6131- PGG-KHP

Dear Judge Parker:

This law firm represents the defendants, Produce Depot USA LLC, Gaetano Balzano a/ka Guy Balzano and Luis Ruelas (collectively, the "Defendants") in the referenced action. We write to Your Honor with respect to the pre-settlement telephone conference scheduled for Thursday, December 16, 2021 at 2:30 p.m. We respectfully request that the conference be adjourned for a date between December 20 through 22, or a further date that is convenient for the Court.

I am actually engaged in depositions in an action pending in this District entitled Solutions Express d/b/a Solex and Technology Opportunity Group Inc. v. Ashley Furniture Industries, Inc. under case number 7:20-cv-07843-CS. The depositions are beginning tomorrow, December 14, 2021 and are being conducted through Thursday, December 16, 2021. The deposition scheduled for December 16, 2021 is scheduled to begin at 2:00 p.m. I will be out of the office beginning December 23, 2021 through the end of the year.

Therefore, it is respectfully requested that the pre-settlement telephone conference be adjourned for a date between December 20 through 22, or a further date that is convenient for the Court. My colleague/adversary, Jeffrey M. Chebot, Esq., counsel for the plaintiff, has consented to our request. This is our first request for an adjournment of the pre-settlement telephone conference.

Thank you for your consideration and attention to this request.

Respectfully submitted,

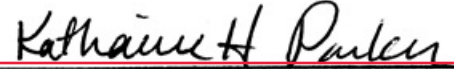
Timothy J. Fierst

TJF:me

cc: Jeffrey M. Chebot, Esq. (Via ECF)

**APPLICATION GRANTED:** The Pre-Settlement telephone conference previously scheduled for Thursday, December 16, 2021 at 2:30 p.m. is hereby rescheduled to **Thursday, January 6, 2022 at 11:00 a.m.** Counsel for the parties are directed to call Judge Parker's Chambers court conference line at the scheduled time. **Please dial (866) 434-5269, Access code: 4858267.**

**APPLICATION GRANTED**

A handwritten signature in black ink, appearing to read "Katharine H. Parker", written over a horizontal line.

**Hon. Katharine H. Parker, U.S.M.J.**

**12/14/2021**